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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,079	01/19/2001	Klaus Hunlich	P00.1957	3071

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WASHINGTON, DC 20005

EXAMINER

PIZARRO, RICARDO M

ART UNIT	PAPER NUMBER
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2661

7

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/744,079

**Applicant(s)**

HUNLICH ET AL.

**Examiner**

Ricardo M. Pizarro

**Art Unit**

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 January 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 1-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. This application does not contain an abstract of the disclosure as required by 37

CFR 1.72(b). An abstract on a separate sheet is required.

2. The disclosure is objected to because the following corrections are needed.

On page 3 line 21 replace “coverting” with -converting-, in line 24 replace “filter” with -filler-.

On page 6 line 13 and line 18, page 7 line 24 replace “adaption” with -adaptation- Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

3. Claims 1-7 are objected to because of the following informalities and it is suggested to applicant:

In claim 1 line 12 delete “back” and replace “said” with -a-, in line 14 replace “coverting” with -converting-.

In claim 4 line 3 insert “said” before -signaling-, in line 6 replace “coverting” with -converting-

In claim 5 line 3 insert “ into the data” after -cells-.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-2 are is rejected under 35 U.S.C. 102(a) as being anticipated by Brueckheimer.

US patent No. 6,574,223 ( Brueckheimer et al ) an Adaptation layer switching system, comprising a method for switching data that are received via a packet oriented data transmission link ( ATM) and are to be forwarded, in which data packets subdivided into sub-structure elements ( e.g. minicells in Fig 1) are established for a data transmission via said packet-oriented data transmission link, comprising the steps of: allocating, by a conversion unit, an allocation of said data received via said packet-oriented data transmission link ( allocation performed in ACM –ALS core- node in Fig. 12 using VLSI technology, col 8 lines 49-58, col 9 lines 15-20) to channels of a timeslot-oriented data format formed of a periodic sequence of channel individual information segments ( SSCS functionality is service dependent, service could be TDM, col 5 lines 27-30, col 8 lines 49-55) , such that data allocated to a sub-structure element are allocated to at least one channel of said timeslot-oriented data format (time slot GSM network channel 702 in Fig. 7) ; switching said data converted into said timeslot-oriented data format via a timeslot-oriented switching network module ( switching performed by ACM- Adaptation Layer Switching Core- node) ; converting said timeslot-oriented data into said packet-oriented data format; and transmitting said data converted back into said packet-oriented data format via said packet-oriented data transmission link( egress process, accepts minicells from the SSCS layers

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and assembles them into ATM cells for transport across the ATM network, col 10 lines 49-53) ,  
as in claim 1.; wherein said step of transmitting data via said data packet-oriented data  
transmission link ensues according to the asynchronous transfer mode data format ,( transmitting  
under ATM format, col 10 lines 49-53) as in claim 2.

***Allowable Subject Matter***

6. Claims 3-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Please notice also objection to claims under 37 CFR 1.75.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US patent No. 6,556,573 ( Kaaresoka et al) discloses Synchronization of ATM based network system using variable bit rate ATM adaptation layer protocols.
- US patent No. 6,266,343 ( Caves ) discloses a telecommunications system.
- US patent No. 5,570,362 (Nishimura) discloses a System for transferring variable length cells under ATM.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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**or faxed to:**

(703) 872-9314

(for formal communications intended for entry, for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

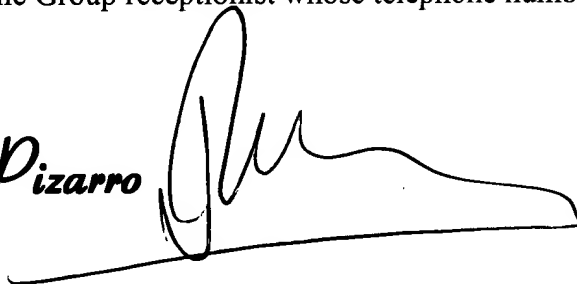
Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ricardo Pizarro** whose telephone number is (703) 305-1121. The examiner can normally be reached on Monday-Friday from 9:00 AM to 5:30 PM. The fax number for this Group is (703) 872-9314.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Douglas Olms**, can be reached on (703) 305-4703.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

June 18, 2004

*Ricardo M. Pizarro*

A handwritten signature in black ink, appearing to read 'Ricardo M. Pizarro', written over a horizontal line.